

STANDARD CRIMINAL 4

EVIDENCE TO BE CONSIDERED

You are to determine what the facts in the case are from the evidence produced in court. If the court sustained an objection to a lawyer's question, you must disregard it and any answer given.

Any testimony stricken from the court record must not be considered.

SOURCE: RAJI (Criminal) No. 4 (1996).

COMMENT: When the trial court sustains a defendant's objection to an improper comment and admonishes the jury to disregard it, this is generally sufficient to cure the prejudicial impact unless it is highly damaging or the instruction from the court is clearly inadequate. *State v. Clow*, 130 Ariz. 125, 127, 634 P.2d 576, 578 (1981).